

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DARRYL COLBERT,

CIVIL NO. 16-2337 (ADM/JSM)

Petitioner,

v.

ORDER

STEVE HAMMER, Warden, Stillwater
Correctional Facility, Minnesota,

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated October 5, 2016. No objections have been filed to that Report and Recommendation in the time period permitted.

The Court, being duly advised in the premises, upon the Report and Recommendation of the Magistrate Judge, and upon all of the files, records and proceedings herein, now makes and enters the following Order.

IT IS HEREBY ORDERED:

1. This matter is DISMISSED WITHOUT PREJUDICE FOR LACK OF JURISDICTION.
2. No certificate of appealability shall be issued.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 24, 2016

s/Ann D. Montgomery
ANN D. MONTGOMERY
United States District Court Judge